

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.1040 of 2016

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Arun Kundu Son of Late Amulyo Kundu resident of Kachahari Para Ward
No. 09, Nagar Panchayat Thakurganj, P.S. Thakurganj, District -
Kishanganj

.... Petitioner/s

Versus

1. The State of Bihar
2. The Superintendent of Police, Kishanganj
3. The S.H.O. Thakurganj Police Station, Thakurganj, District Kishanganj
4. Md. Yunus Khan (Master) Son of Late Gul Mohammad
5. Masihuzzaman
6. Md. Naushad Ali Respondents of No. 5 and 6 are sons of Md. Yunus Khan
7. Abid Ashraf Son of not known Respondent no. 4 to 7 are resident of Mahrup Sao Hata ward No. 12, Dumrao, P.O. and P.S. Dumrao, District - Buxar

.... Respondent/s

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha, Adv.

For the Respondent/s : Mr. Prabhat Kumar Verma (AAG-3)

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 14-08-2018 The grievance of the petitioner is that the Investigating Agency has not taken effective action to arrest the accused persons in connection with Thakurganj P.S. Case No. 151 of 2012 registered under Sections 420 and 406/34 of the Indian Penal Code.

The facts appearing from the records would show that in this case police has submitted a charge-sheet showing some of the named accused such as Md. Yunus Khan, Masihuzzaman, Md. Naushad Ali and Abid Ashraf as absconder. The investigation



has been closed. Learned counsel for the petitioner submits that non-bailable warrant of arrest has been issued against the absconder because they are not being arrested by the police and because of that the trial is not proceeding.

Learned counsel for the State is present.

Considering the nature of the grievance, the Superintendent of Police, Kishanganj and the S.H.O, Thakurganj Police Station are directed to ensure that in case warrant of arrest has been issued by the Court below against the absconder accused, the same must be executed within a period of 30 days from the date of receipt/ production of a copy of this order and a report in this regard be submitted in the learned Court below. The learned Court below shall also pass necessary orders in accordance with law to secure presence of the accused persons.

The application stands disposed off, accordingly.

(Rajeev Ranjan Prasad, J)

Arvind/R.R.Ojha/Ved

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